

United States Southern
District Court of New York

Danny Amen Valentine Shabazz,
Covenant Music Inc. Chairman

v.
Aubrey Drake Graham,
Lucianne Grainge, Universal
Music Group

Petition
Criminal Copyright Infringement

Danny Amen Valentine Shabazz,
Covenant Music Inc. Chairman

V.

Aubrey Drake Graham,
Luciane Grainge, Universal
Music Group

Criminal Copyright Infringement
Summary Judgment

Allegations:

Since 2007, Danny and his company Covenant Music Inc has been a part of the Universal Music Group/Motown/ Republic/SRC system as a partner in projects. Due to Danny getting exhausted from 2007-2009 workflow with Wu Tang Clan's 8 Diagrams album as an executive with a 2 million dollar budget and a 36,000 dollar payment to Covenant Music Group. Out of that album came multiple projects and derivatives one being the artist Drake who was brought into the fold by Kevin "Kato" Mckenzie and KK Rosemond. Kato was the project manager originally for Drake and I was the Covenant Wu Tang Executive who received a check that was cashed at Wachovia. Vashon Rap Straws was the Head of Radio Promotions and Derek "D the Weatherman" Pearson was the Head of Radio at Motown. We all worked on the 6th floor with Monique Baines being Steven Rifkind assistant. Sylvia Rhone was the then President of Motown and she oversaw budgets for the whole Motown staff. She and Danny had a cordial relationship. Danny didn't at the time have a lawyer to oversee the multiple projects that were coming out of the UMG building and that hindered Danny from receiving the rest of his pay and credit on Drake and other artists like Akon and The Dream. Lucianne Grainge came into the fold much later after Doug Morris and Sylvia Rhone departed for Sony. As of today Danny has been in contact with UMG and Vashon over the last 3 years with Lucianne greenlighting Unc and Phew and allowing them to sell the catalog to Hybe Corporation. Unc and Phew album is a

derivative of 8 Diagrams and Danny copyright Protect Ya Neck or spelled Protect Your Neck at the copyright office. Drake's album and career is derived from works from Wutang and Danny other acts under the Covenant Music Inc. Danny has not been paid for any of these works and Lucainne continues to greenlight these projects after repeated attempts to collect his money and pay his staff which consist over thousands of people who are not being paid correctly or able to even organize the back office correctly. These projects were completed in the New York UMG building at 1755 Broadway Ave, New York, New York 10019 and Danny lived in Jersey City on Magnolia Ave 07306. Danny also worked at 703 47th and 7th Ave New York, New York 10036

Remedies:

Under law Universal owes Danny on all Drake projects and a 15 percent fee of the budgets he was allocated. He also owes Danny 15 percent of the 500 million and all Quality Controls projects which will be addressed in another claim unless the judges decide to rule on an order for UMG to pay all fees. The USSS specially said Danny needs 24 hour security and we are being neglected.

1847. CRIMINAL COPYRIGHT INFRINGEMENT -- 17 U.S.C. 506(A) AND 18 U.S.C. 2319

The principal criminal statute protecting copyrighted works is 17 U.S.C. § 506(a), which provides that "[a]ny person who infringes a copyright willfully and for purposes of commercial advantage or private financial gain" shall be punished as provided in 18 U.S.C. § 2319. Section 2319 provides, in pertinent part, that a 5-year felony shall apply if the offense "consists of the reproduction or distribution, during any 180-day period, of at least 10 copies or phonorecords, of 1 or more copyrighted works, with a retail value of more than \$2,500." 18 U.S.C. § 2319(b)(1).

The 1992 amendments to section 2319 have made it possible to pursue felony level sanctions for violations relating to all types of copyrighted works, including computer software and other works written, stored or transmitted in a digital format, if the other elements of the statute are satisfied. Felony penalties only attach to violations of a victim's rights of *reproduction* or *distribution* in the quantity stated. A misdemeanor shall apply if the defendant does not meet the

numerical and monetary thresholds, or if the defendant is involved in the infringement of the other rights bestowed upon the copyright holder, including the right to prepare derivative works, or the right to publicly perform a copyrighted work.

There are four essential elements to a charge of criminal copyright infringement. In order to sustain a conviction under section 506(a), the government must demonstrate: (1) that a valid copyright; (2) was infringed by the defendant; (3) willfully; and (4) for purposes of commercial advantage or private financial gain. Attempts to infringe are prohibited to the same extent as the completed act. Conspiracies to violate the Act can be prosecuted under 18 U.S.C. § 371. A minority of courts also require that the government prove the absence of a first sale, and refer to this as a fifth element of a section 506(a) offense. However, the majority position is that the absence of a first sale is an affirmative defense. Thus, the government does not need to allege it in the indictment or to present initially evidence to negate the defense. *See this Manual at 1854.*

Drake.

Registration Number / Date

PA0002382965 / 2022-08-07

Type of Work

Text

Title

Drake.

Application Title

Drake.

Date of Creation

2009

Date of Publication

2020-05-20

Copyright Claimant

Danny Amen Valentine Shabazz, 1978- . Address: 65 Irby Ave, Atlanta, Georgia, 30305, United States.

Authorship on Application

Ace, pseud. of Danny Amen Valentine Shabazz, (author of pseudonymous work); 1978- Citizenship: United States. Authorship: text.

Rights and Permissions

Danny Amen Valentine Shabazz, Covenant Music Inc., 65 Irby Ave, 65 Irby Ave, Atlanta, Georgia, 30305, United States, (470) 836-6336, (470) 836-6336, dannyacevalentine@gmail.com

Description

Electronic file (eService)

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C.O. correspondence.

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Names

Valentine Shabazz, Danny Amen 1978-

Ace, pseud. 1978-

/s/ Danny Amen Valentine Shabazz

10/19/2023

Certificate of Service

I hereby serve UMPG publishing at umpg.royalty@umusic.com and Luciane Grainge a criminal copyright infringement claim to shut down all Drake's works on all streaming services and all shows with Live Nation.